

**Responses to Questions and Comments**  
**Request for Information (RFI): Volkswagen Settlement Eligible Mitigation Actions**  
**COMMBUYS Bid #BD-18-1045-BAW00-BAW01-26266**

*The following are the Massachusetts Department of Environmental Protection's (MassDEP) responses to the questions and comments regarding the RFI submitted to MassDEP by e-mail by the 5 pm (EDT) April 30, 2018 deadline specified in the RFI.*

<b>Question/Comment</b>	<b>MassDEP Response</b>
<p>1. Would the replacement of a 2004 John Deere diesel loader with a new John Deere diesel electric loader be eligible under Eligible Mitigation Action (EMA) #8, Forklifts and Cargo Handling Equipment or any other category? Are there any other options to participate for a municipal fleet?</p>	<p>Based on the description provided, MassDEP cannot determine whether this vehicle meets the eligibility requirements of EMA #8. The Commenter did not state whether the loader has tines and is used as a forklift, both of which are necessary qualifications for a forklift under the VW Settlement.</p> <p>It is possible that the loader could meet the eligibility requirements of a non-road diesel engine under the Diesel Emissions Reduction Act (DERA) EMA #10 option of the VW Settlement.</p> <p>Municipal fleets would be most likely to include large trucks (EMA #1), buses (EMA #2), or medium trucks (EMA #6).</p> <p>Note that MassDEP has not decided which EMAs will be included in the Massachusetts Beneficiary Mitigation Plan.</p>
<p>2. When submissions are made requesting VW funds, will a fee be required to be paid?</p>	<p>No, MassDEP will not require entities to pay a fee to apply for VW funds.</p>
<p>3. We operate 28 diesel powered amphibious tour vehicles on the streets of Boston and Cambridge and in the Charles River. These vehicles have a GVWR of 33,000 lbs. and 7.3 liter 225 HP engines that were manufactured between 1999 and 2003. Would we be able to qualify under EMA #2, Class 4-8 School Bus, Shuttle Bus, or Transit Bus (Eligible Buses)? Or is there another category that would be a better fit?</p>	<p>No, the tour vehicles as described would not meet the eligibility requirements of any EMA. According to the VW Settlement definition, EMA #2 includes School Buses, Shuttle Buses, or Transit Buses. An implicit aspect of this definition is that the bus passengers are transported from one place to another (e.g., school bus passengers are transported from bus stops to school, transit bus passengers are transported from one location to another). As described these vehicles serve as tour vehicles and do not pick up passengers from one location and drop them off at another.</p>
<p>4. When will a decision be made as far as fund distribution?</p>	<p>Before the Commonwealth can distribute funds for projects several actions must take place. Following the close of this</p>

Question/Comment	MassDEP Response
	<p>Request for Information on May 18, 2018, MassDEP will evaluate the data and feedback that responding entities provided. This information will then be used to assist in the development of the Beneficiary Mitigation Plan (BMP). MassDEP plans to file the BMP with the Trustee in the summer/fall of 2018 and funds may be distributed 30 days after the BMP is filed. After that, depending on the EMAs that are to be implemented, MassDEP may issue formal solicitations for projects.</p>
<p>5. Is the <i>Spreadsheet for Responding to the RFI</i> meant for applicants for the incentives? Or for vendors like us? For example, should we enter details of our Semi truck?</p>	<p>MassDEP developed the <i>Spreadsheet for Responding to the RFI</i> to obtain an understanding of the interest in, availability of, and costs of the VW Settlement's eligible EMAs. A response to the RFI is not an application for funds. Any entity, including vendors and equipment owners, may provide data on the <i>Spreadsheet</i> about possible projects, including projects associated with trucks.</p>
<p>6. For the Electric Vehicle Supply Equipment (EVSE) EMA, what information should be entered? The current columns are not relevant for this EMA category.</p>	<p>The Commenter can provide data on EVSE product offerings on the <i>Spreadsheet</i> under the New Equipment tab. Commenters can provide equipment purchase and installation costs as well as charging levels. Additional data and explanatory information may also be submitted in text accompanying the <i>Spreadsheet</i>.</p>
<p>7. When I try to select an EMA in the EMA category column (in the new equipment tab) the text doesn't show up in the cell for some reason.</p>	<p>An initial version of the <i>Spreadsheet</i> on the MassDEP website did not function properly. It is now operating as intended.</p>
<p>8. After MassDEP develops a draft Beneficiary Mitigation Plan based on the feedback received, will there be another opportunity to provide feedback?</p>	<p>From January to March of 2018 MassDEP held ten stakeholder meetings around the state to solicit comments on the VW Settlement EMAs. The agency also posted a survey on its website asking respondents for EMA feedback. Finally, MassDEP posted this RFI, which represents the final opportunity to comment on which EMAs the Commonwealth should pursue at this time.</p> <p>However, because vehicle technology and other factors may change significantly over the next 15 years (the period of time Massachusetts has to spend its VW allocation), the Commonwealth may revisit the BMP periodically. If Massachusetts determines that the BMP needs to be revised and updated in the future, then MassDEP may solicit additional feedback at that time.</p>